

U. S. SOON TO TAKE OVER CABLE LINES

Burleson About Ready for
Government Operation of
Systems in America.

NOT DUE TO EMERGENCY

Return of Properties Follows
Peace Ratification—Possible
Huge Combine Seen.

Special Despatch to The Sun.
WASHINGTON, Nov. 17.—The Government control and operation of all cable lines touching the United States is to be assumed by Postmaster-General Burleson in the near future.

Plans for taking over these lines have been under way by the wire control committee of the Post Office Department for several weeks, but no formal action has yet been taken. No Presidential proclamation has been issued. The report that the lines already have passed under control is premature and erroneous.

The Aswell joint resolution, passed last summer, gave the President authority, "during the continuance of the present war," whenever he deemed it necessary for the national security, to take possession not only of the telegraph and telephone lines, but also cable lines. This resolution stipulated that Government control was to cease upon proclamation by the President of the ratification of the peace treaty.

It was explained at the time the Government assumed control of the telegraph and telephone lines that the only reason the President's proclamation at that time did not include the cable lines was the necessity for clearing up any diplomatic obstacles that might be in the way.

Up to State Department.
While some of the lines are American owned, others are property of foreign organizations. Public statements with respect to the cable lines have repeatedly been refused on the ground that it was a matter that had to go through the State Department and that nothing could be said until the State Department made an announcement.

It was stated by the chief official of the Post Office Department to-night that events were rapidly shaping toward Government control and operation of the cable lines. He intimated it was a matter of but a few days. It was further stated that the move is by no means a new one. It has been one of the postal officials to consolidate and coordinate all lines of communication, including the cable lines, from the very first, but that action on the cables was delayed because of complexities of international control.

It is explained to-night that in taking control of these cables the Post Office Department is carrying out the original plans laid before Congress and was in no sense a new move and not due to any emergency. It was immediately stated that the move is a matter of the postal officials to consolidate and coordinate all lines of communication, including the cable lines, from the very first, but that action on the cables was delayed because of complexities of international control.

End of Control Long Way Off.
Administration officials have no idea the Government control of the lines is to terminate in the near future because of the cessation of hostilities. The legal expiration of the Government's authority is a long way off. It is expected that exchanges of the ratification of the peace treaty will in themselves take many months.

Postmaster-General Burleson is one of the foremost advocates of Government ownership of all lines of communication. There is no concealment of the fact here that the Government has a plan which will weld all lines, including the cables, into one system and then reduce the rates materially, with the idea that public sentiment will favor their retention by the government when the time comes to give them up.

Officials here do not deny that the cable lines have not been worked to their capacity, but insist a unification plan can be worked out which will give better satisfaction to the public than the present system.

WAIVES CLAIM WITH PROPERTIES' RETURN

Mackay Points to U. S. Loss in
Letter to Burleson.

In a letter addressed to Postmaster-General Burleson, Clarence H. Mackay, president of the Postal Telegraph Cable Company and the Commercial Cable Company, asserts that the Government is losing money through its operation of the telegraph and telephone lines, and suggests that this loss be stopped through the return of the companies to their owners. If this suggestion is accepted, Mr. Mackay agrees, on behalf of the owners of the Postal Telegraph Cable Company, to waive any claim to compensation and accept only whatever his lines have actually earned since Government control was established.

Mr. Mackay's letter to Postmaster-General Burleson was written on November 11. He wrote:

"Hon. Albert C. Burleson, Postmaster-General, Washington, D. C.
"MY DEAR MR. BURLERSON: In view of the fact that an armistice with Germany has now been signed and a treaty of peace will probably be agreed upon quickly, I take the liberty of suggesting that the telegraph lines be returned to the two telegraph companies at once, as authorized by the President's proclamation, which states that you should be at liberty to relinquish 'the whole or any part thereof.' . . . system or any part thereof."

"Such action on your part would save the Government a great deal of money, because, as I am informed, the compensation which has been agreed upon by the company and the Western Union Telegraph Company is much more than the telegraph company is now earning from month to month. That compensation is even more than that company's earnings for 1917, which was the most profitable year in its history."

"The earnings of that company for the first seven months of this year, as reported to the Interstate Commerce Commission, were \$1,257,223. It was they were for the same period of last year (including cable operations), but any decrease in such cable earnings was undoubtedly due to the fact that the alleged decrease of \$578,000 in taxes, which would indicate that the year ending July 31, 1918, will show a loss to the Government, in connection with that company, of at least \$2,246,468, and is all probably considerably in excess of that figure."

"I do not know what the corresponding figures of the Bell Telephone Company are. But there is no reason for the Government continuing to bear these losses, inasmuch as it has now been immediately returning the lines to the telegraph companies. That is a step which must meet with general approval as indicated by the speech of Senator Martin of recent date, in which he urged imme-

mediate retrenchment in all branches of the Government.
"There is no such deficiency in your operation of the Postal Telegraph lines, inasmuch as no compensation has yet been agreed upon as to that company.
"Again, the sooner competition in the telegraph business is restored, the greater, I believe, will be the satisfaction of the public. As you are aware, the joint resolution of Congress of July 16, 1914, taking the telegraph lines out of the telegraph and telephone business was purely a war measure for national security and defense, and this is emphasized by the fact that Congress provided that the lines should be returned beyond the date of the proclamation by the President of the exchange of ratifications of the treaty of peace, as against the railroad Federal control bill, which continued the period of Federal control for a period of twenty-one months after the war."

Meant as a War Measure.

"If Congress had intended the telegraph and telephone Federal control act to be other than a purely war measure, Congress would have made its continuance last for the same period as the railroad business. The fact that the telegraph-telephone control was purely a war measure was also most emphatically emphasized in the debates in both houses of Congress when the resolution was passed."

"Certainly the war no longer justifies the Government's retaining these telegraph lines for war purposes. In fact, August 1, 1918, when the Government first took control of the telegraph lines for war purposes, there has not been a single act in such operation, so far as the national security is concerned, that has required that such operation have been in effect by the telegraph companies. Had the lines been returned to the telegraph companies, the Government would have been allowed to continue their own control and the Government had not been asked to continue their control. This merely emphasizes the propriety and wisdom of the lines being turned back at once."

"The compensation to the Postal Telegraph Cable system is now in course of discussion with your committee, but if you think well of the suggestion to return the lines to both telegraph companies, the Postal Telegraph Cable Company is willing to waive any claim for compensation and accept what the lines have actually earned since the beginning of Federal control. All this would save the Government from the loss which it is now sustaining from month to month."

"On the other hand, if the Government does not wish to return the lines, our lines we certainly are entitled to the same profits that we made during the year prior to July 1918, which you will notice includes the first six months of 1918, which six months, as stated above, the Western Union earnings showed a considerable decline, but which was apparently not considered in arriving at the compensation."

"You will observe, therefore, that the basis on which we are willing to accept compensation is more favorable to the Government than the basis on which the Western Union is apparently based upon war profits, and we are entitled to the same treatment as the Western Union in this respect."

"CLARENCE H. MACKAY, President."

In some quarters the extension of the Government control to include the cables operating between the United States and foreign countries is viewed with apprehension. It is expected that even made yesterday that the new step on the part of the Government would be followed in a few days by some of the cable companies, which have heretofore been allowed to remain intact. Should such changes come the rank and file of the companies would be unaffected, it was predicted, but the executive officers probably will be shelled out much more than the companies to return to the companies to the original owners.

"For the most part the officials of the cable companies seemed loath to discuss this new phase in wire situation. Some of them took the attitude that it was the logical sequence to the Government's seizure of the domestic wire lines. Others, however, expressed surprise that this extreme measure should have been taken at such a late date. Among the latter was Mr. Emmet Roosevelt, an official connected with the Central and South American Telegraph Company."

"I don't exactly understand," said Mr. Roosevelt, "why Postmaster-General Burleson would take this action, but I can see no object in the move."

GLAD VICTORY IS COMPLETE.

The Rev. W. P. Merrill Gives
Thanks for Passing of Kings.

The Rev. William Pierson Merrill, D. D., conducted the thanksgiving services yesterday afternoon in the Brick Presbyterian Church.

"We thank God," he said, "that the fighting has come to an end through victory for the right; that our fears of some compromise that would leave right worsted and wrong triumphant have been swept away in the completeness of the victory."

"Thank God for the passing of kings and kingdoms—the kings and the petty princes and the grand dukes and the petty princes and the whole retinue of sham superiority. There are horrors of anarchy in Russia, and fears of anarchy in Germany and Austria, but better the excesses of freedom than the iron restraint of despotism."

He praised the cleanliness and fighting excellence of the American soldier and prayed "that God might keep us humble."

MENACE OF SWORD ENDED.

Rabbi Isaac S. Meyer Says American Ideal
Is World's Treasure.

Rabbi Stephen S. Wise told the Free Synagogue yesterday in Carnegie Hall that the American ideal was the treasure for the nations' thanksgiving. He paid tribute to the leadership of the President, to the work of the American soldiers and sailors, and to the fact that the world had not fallen under the spell of German power.

"A federation of the world," he said, "is about to be formed which is to exact justice and to bring freedom to the weakest nations. The menace of the sword is ended. The sword of militarism lies broken at the feet of humanity and if we will to achieve the peace of justice the sword will never be welded or wielded again."

Rabbi Wise said that the peace fight remained to be won and that in it the American ideal was to be the cherished treasure of the world.

GERMANY A PENAL PROBLEM.
Chaplain Knox of Columbia Says
Justice Should Still Be Aimed.

Chaplain Raymond C. Knox of Columbia University preached yesterday afternoon at the Victory celebration at St. Paul's Chapel. He said that the United States went to war for the sake of justice, and now that the war is won the chief end should also be justice.

"We are not treating with an honorable although defeated foe," he said. "We are dealing with a criminal brought to book and are yet unrepentant. We are dealing with a nation that has shown itself morally defective. How to treat Germany is a problem in penology."

He said the German Government had defied the moral forces of the world and referred to the Kaiser as "the last criminal in the falsest called divine right of kings," now a figure in a show land and against whom every man's hand was turned.

VICTORY SERVICES IN CITY CHURCHES

All Denominations Join in
Holding Thanksgiving
Celebrations.

SERMON BY ELIHU ROOT

Possible Peace Commissioner
Speaks at Cathedral of St.
John the Divine.

ELIHU ROOT, widely mentioned as one of the possible members of the American Peace Commission, occupied the pulpit yesterday at the Victory celebration in the Cathedral of St. John the Divine. This was but one of the many notable incidents of services in New York churches in which thanks were given for the victory of the allied troops and given justice upon the Germans was downfallen.

The clergy of the entire diocese, the Chancellor, trustees and officials of the cathedral and many prominent persons were present. Bishop David H. Greer was prevented by illness from being present and his address was read by Dean Howard C. Robbins.

MASS FOR VICTORY IN
CATHOLIC CHURCHES

Te Deum Is Sung by Order of
Mgr. Mooney.

Patriotic expression of joy over the triumph of American and allied arms was given yesterday at the Victory services of the Catholic churches of the city. Most of the special Thanksgiving services were held in connection with the morning solemn high mass. A few were at vesper services.

By command of Mgr. Joseph F. Mooney, in charge of the archdiocese of New York, the Te Deum was sung and the benediction of the blessed sacrament was held.

The Ver. Rev. James Merighi, O. F. M., Provincial of the Italian Franciscans, celebrated the mass. Mrs. M. J. Lavelle and Sherrard Ferrante were among the dignitaries present. Consul General Renato Trittoni of Italy, with his wife and staff and many soldiers and sailors of the allied nations, took part in the service. The service was in Italian and then in English. Mgr. Lavelle followed him.

POGROMS MAR WORLD PEACE.

Rabbi Schulman Demands Allied
Aid for Jews.

Rabbi Samuel Schulman, D. D., in the Temple Beth-El deplored the fact that the world peace movement is a report of renewed pogroms against the Jews. He demanded allied action to curb such tendencies.

"As Americans," he said, "we rejoice this morning in the thought of the magnificent victory which has come to the American people, rewarding its generous chivalry on behalf of freedom and of right."

"But Americans of the Jewish religion our joy is marred and our happiness disturbed. The monster of pogromism is still rampant in Russia and in Poland. In the midst of peace and of universal joy the mob is being urged to turn it into war for the Jew."

"Our duty is simple and clear. We demand that our Government and our allies immediately use the power which they possess over these nations to make them understand that no people can be recognized as entitled to be an independent nation unless there are civil, political and religious rights for the Jewish minority."

Dr. Schulman urged the founding of a Jewish colony in Palestine under protection in which all creeds might live in peace.

Victory Mass in Syrian Church.

A special Victory high mass was sung yesterday in the Syrian Church, 57 Washington street, with the Rev. Father Francis Winkler, pastor of the Syrian Church, officiating. The Rev. Father Winkler, a native of Syria, is a member of the Syrian Consulate in New York. He is a native of Syria and has learned the law of moral force.

Germany could not understand that Belgium would defend her neutrality when her neutrality was violated. Germany could not understand that when the rights of Belgium were attacked England would protect her. Germany could not understand that England's colonies were not held by military force. Germany

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financial plans?

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EVERYTHING
AT THE
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SUNDAY NIGHT
FESTIVAL

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Palace
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Normally these cities would have had 4,000 deaths from these causes during this period, it was said, leaving approximately 78,000 as the number properly chargeable to the epidemic.

"The total casualties in the American expeditionary forces," said the announcement, "have been unofficially estimated at 100,000. On the basis of the number thus far reported it may be assumed that the deaths from all causes, including disease and accidents, are probably less than 45 per cent, and may not be more than 40 per cent, of the total casualties. On this assumption the loss of life in the American expeditionary forces to date is about 40,000 or 45,000."

The total of deaths due to the influenza epidemic in this country is not known, the announcement said, as only the forty-six cities for which figures were given report vital statistics to the Census Bureau. The greatest mortality was in the epidemic in proportion to population, was 7.4 per 1,000 in Philadelphia, and the next greatest, 6.7 per 1,000, was reported from Baltimore.

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Abbe Jean Borden d'Arreze At-
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"The Star Spangled Banner" preceded the Massé, yesterday in the congregational singing in the French Church of Notre Dame, where a Victory mass was celebrated.

Abbe Jean Borden d'Arreze, a French priest, wearing full uniform with the medal of the Legion of Honor and the Military Cross, preached the Victory sermon. He said victory was due to the fact that the Allies were fighting for the right and secondly because God gave them the best instruments for achieving victory—Pope, Joffre, Clemenceau, Wilson, Pershing and Lloyd George.

At the conclusion of his sermon he read a prayer calling upon the Deity not to forget the crimes of Germany and of the German people. Many of the best known members of the local French colony were present.

Salesman Accidental Gas Victim.

Harold Buckland, 47, a salesman, 314 West Twenty-fourth street, was found dead yesterday when some one in the home smelled gas and traced it to Mr. Buckland's room. The police found he had retired with the gas burning and the wind had probably blown out the flame.

RECESS JOB GIVING HAS OLD PRECEDENT

Decision of 1872 Cited in Sup-
port of Whitman's Expect-
ed Appointments.

Special Despatch to The Sun.
ALBANY, Nov. 17.—A decision of the Court of Appeals handed down in 1872 has been dug up and brushed off as a reminder to certain political leaders of the futility of alleged plans to have the State Legislature recess from day to day and state off final adjournment until the last day of the year for the purpose of checkmating recess appointments by the Governor. This plan of action has been hinted at ever since Alfred E. Smith was elected Governor.

In the decision, which has never been modified, the Court of Appeals held squarely that the Legislature is without the right to recess as a subterfuge, or for the purpose of preventing the Governor from filling vacancies in State offices. The decision affected the appointment of a Supreme Court Justice by Gov. John T. Hoffman. Constitutional provisions affecting the Governor's power to make recess appointments, upon which this decision was based, have not been changed.

"The words 'in session' as used in section 9 of article 6 of the State Constitution," which authorizes the Governor to make recess appointments, "mean that the Legislature is not in session, to fill temporarily by appointment a vacancy in the office of Justice of the Supreme Court," the ruling declares.

When the sitting is terminated by a long adjournment, and the Legislature is not in session, the State is not "in session" within the intent and meaning of the Constitution, and an appointment made by the Governor during such an adjournment is valid.

The ruling further declares that the Constitution "designed for practical purposes" had respect to a recess actually and not dealing with fiction or a constructive condition of things.

"The Constitution," the decision continues, "had respect to a recess actually and not dealing with fiction or a constructive condition of things."

On September 13, 1872, after several recesses the Legislature, acting as a court of impeachment, removed George C. Barnd as Supreme Court Justice. On September 21 in the same year Gov. Hoffman appointed Enoch L. Pancher to fill the vacancy. Gov. Hoffman, in making the appointment assumed that the Senate was not in session, although it recessed to prevent him naming Barnd's successor.

The situation existing at the time the decision was handed down was much the same as a political leaders foresee in the 1918 session. Gov. Hoffman, in making the appointment assumed that the Senate was not in session, although it recessed to prevent him naming Barnd's successor.

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